

SECTION 2. OPERATIONS SPECIFICATIONS

277. GENERAL. In addition to obtaining economic authority from DOT, each foreign air carrier must obtain operations specifications issued by the FAA before conducting foreign air transportation operations. Appendix A of Part 129 contains detailed requirements governing applications for the issuance and amendment of operations specifications for foreign air carriers.

279. RESPONSIBLE FAA FIELD OFFICE. Appendix A of Part 129 states that the application for foreign air carrier operations specifications should be addressed to FAA headquarters. However, the responsibility for the issuance and amendment of foreign air carrier operations specifications and the approval of Minimum Equipment Lists and maintenance programs for U.S.-registered aircraft has been delegated to certain regions and in turn to specific district offices. A foreign air carrier, however, may elect to locate its U.S. office in a region other than those specified below. Headquarters and other regional offices receiving applications from any foreign air carrier shall forward each application to the appropriate responsible Regional Flight Standards Division as follows:

- ANM-200 for Canadian operators based on or west of 100 degrees west longitude
- AEA-200 for Canadian foreign operators based east of 100 degrees west longitude and foreign operators located in Europe, Africa, Middle East, and India
- ASO-200 for foreign operators located in the Caribbean and Central and South America
- ASW-200 for all foreign operators based in Mexico
- AWP-200 for all foreign operators located in Asia, Pacific Basin, Australia, and New Zealand

281. APPLICATION. Applications for foreign air carrier operations specifications shall be made by letter. The Letter of Application must contain the applicable information prescribed in Appendix A of Part 129. In addition to the Letter of Application, the applicant must present for review the copy of DOT 402 permit or exemption. For each leased U.S.-registered aircraft to be operated the applicant must submit the following documents:

A. Registration markings as required by FAR 129.11(a)(4)

B. Lease agreement or a written memorandum of the terms of the lease signed by both parties

C. Proposed Minimum Equipment List (applicant's or U.S. owner's/operator's) tailored to the applicant's operations and based on the FAA-approved

master Minimum Equipment List (see chapter 8 of volume 3 for MEL)

D. Maintenance program or procedures adequate to support the use of the proposed Minimum Equipment List

E. Application for special purpose flight crewmember certificates, if applicable

283. PROCESSING APPLICATIONS.

A. Within 5 working days, the responsible FAA office shall notify the applicant of receipt of application, either in writing or by telephone. The application shall be evaluated to ensure that the information identified in the following has been provided and that the accuracy of each item is certified by the applicant. The evaluation of the application consists of a desk audit based on the statements and information provided by the applicant and the inspector's assessment of the applicant's information.

(1) Routes

- Compatibility of aircraft with route and airspace requirements
- Adequacy of aircraft communications, navigation, transponder, and altitude reporting equipment
- Use of Category II or III approach/landing procedures

(2) Airports

- Adequacy of gateway, refueling, provisional and alternate airports
- Aircraft takeoff and landing weight, runway, and taxiway limitations

(3) Flight Crewmembers

- Type and class of certificate issued by State of Registry of aircraft
- Familiarity with U.S. airspace and airport operating regulations and procedures
- Fluency in English language

(4) Aircraft

- Current and valid registration
- Markings
- Airworthiness certificate issued by State of Registry
- Continuous airworthiness maintenance program manual (U.S.-registered aircraft only)
- Minimum Equipment List (U.S.-registered aircraft only)

(5) Dispatchers

- Proposed organization
- Familiarity with U.S. airspace and airport operating regulations and procedures
- Certificates issued by country of foreign air carrier applicant
- Weather collection, processing, and dissemination
- Accident and incident reporting procedures

B. If the evaluation results in a finding that the applicant can meet the operating requirements of Parts 91 and 129, appropriate operations specifications shall be issued to the foreign air carrier. If the evaluation results indicate deficiencies or omissions in the application, the responsible inspector must contact the representative of the foreign air carrier. The Regional Flight Standard Division shall be notified before returning or rejecting an application of a foreign national air carrier. The applicant's representative shall be informed of the deficiencies and of what must be provided by the foreign air carrier to make the application acceptable. If the deficiencies are not satisfactorily resolved within a reasonable period of time, the application shall be returned to the applicant with a letter which describes the specific reasons why the application is deficient and unacceptable.

285. ISSUANCE OF OPERATIONS SPECIFICATIONS.

A. Operations specifications are issued to a foreign air carrier after the responsible FAA office conducts a thorough evaluation of the application and a finding is made that the applicant can meet the operating requirements of Parts 91 and 129 (see SFAR 38-2 and FAR 129.11). The responsible inspector shall ensure that appropriate operations specifications are completed, reviewed, approved, signed, and mailed or delivered to the foreign air carrier. See chapter 1 of volume 3 for preparation of the operations specifications. In addition, if the foreign air carrier is going to operate any U.S.-registered aircraft, the inspector shall also ensure that the maintenance and Minimum Equipment List requirements of FAR 129.14 are met and that the required letter of authorization (permitting the foreign air carrier to use an approved Minimum Equipment List) is prepared, signed, and mailed or delivered to the foreign air carrier.

B. A foreign air carrier designator and an operations specifications number will be assigned by AVN-120 for each foreign air carrier operations spec-

ifications issued. The responsible inspector shall obtain foreign air carrier designators and operations specifications numbers directly from AVN-120 (FTS 747-4353). The four letter designator shall always be the first four characters of the operations specifications number. When requesting a designator and operations specifications number the inspector shall state "the purpose of the contact is to request a foreign air carrier designator and operations specifications number" and then provide the official name of the foreign air carrier, the preferred three letter designator for the foreign air carrier. The designator of the responsible flight standards district office must also be provided (for example WP09). The fourth letter of foreign air carrier designator will always be the letter "F" (see chapter 1, section 4 for construction of foreign air carrier operations specifications number).

C. The responsible inspector will enter the foreign air carrier's assigned operations specifications number on the upper right corner on the signature side of each page of the operations specifications. The original copy of approved operations specifications will be issued to the applicant. A copy signed as received by the applicant (on the lower right of the signature side of the page) shall be retained in the district office files. Two copies of the operations specifications will be sent to the Regional Flight Standards Division, which will forward one copy to AFS-200 in Washington.

287. AMENDMENTS. Amendments to a foreign air carrier's operations specifications may be initiated by either the operator or the FAA. FAR 129.11(b) provides that a foreign air carrier may apply for an amendment of its operations specifications and that the proposed amendment should be submitted whenever the operator proposes any change in the items required by Appendix A of Part 129 for the application or any change to other items in the foreign air carrier's operations specifications. An amendment shall be approved only after evaluation of the proposed change and a positive safety finding is made that the foreign air carrier can meet the operating requirements of Parts 91 and 129 in the conduct of any operation under the amended operations specifications. Amended operations specifications are processed and issued in accordance with paragraphs 283 and

288. - 292. RESERVED.

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